

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

Larry Carl Dixon #138238,  
Pro/Se Plaintiff

-Vs-

Warden Willie Thomas, et.al.,  
Defendant(s)

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Case No.2:06-CV-164-WKW-TFM

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**MOTION FOR LEAVE TO CONDUCT DISCOVERY and DISCOVERY REQUEST**  
**(Pursuant to Rules 26 and 34, of the Fed.R.Civ.Proc.)**

Comes Now, Larry C. Dixon, Pro/Se, And from herein known as the Plaintiff, And Motions this Honorable Court for Leave to Conduct Discovery, And also submits his request for **Production of Documents**, Pursuant to The Federal Rules of Civil Procedure, And In support thereof, The Plaintiff avers the following;

1.) In the Defendants 'Answer and Special Report' filed in this Honorable Court on or About, the 23rd day of March, 2006, They argue that the Plaintiff was not authorized to Open the Window that cut the tip of his fingertip off, Guillotine Style.

2.) The defendants should have a memorandum, Standard operating Procedure, Directive, Rule, Or, Admin. Reg., That specifically puts an Inmate on Notice that they are not authorized to open or close windows.

3.) The Plaintiff requests, Specifically, That the Defendants Produce said Memorandum, Standard Operating Procedure, Directive, Rule, or, Administrative Regulation, That actually puts Inmates on Notice that they are not to open or close windows at the Elmore Correctional Facility, Which provides the date that said Rule, etc., Became

effective at the Elmore Correctional Facility, Which made the opening and closing of the Windows an "Unauthorized Action".

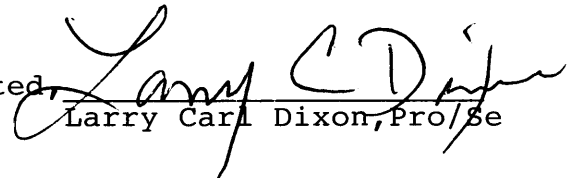
4.) This Plaintiff contends, That their is no such memorandum, Stand-ard operating procedure, Directive, Rule, or, Administrative Regulation that puts Inmates on Notice that the Windows are an Unauthorized area, And that the Affidavit attached to the defendants 'Answer and Special Report' should be taken in bad faith and stricken from the record.

5.) This Plaintiff requests that the court order the defendants to produce said Document(s), Which will support their defense, And should have been produced in the Initial Disclosure, Considering The defendants rely so heavily upon it. Rule 26, Fed.R.Civ.Pro.

#### CONCLUSION

Wherefore, Premises considered, This Plaintiff prays that this court will grant leave to conduct discovery, And Order the Defendants to produce the documents requested.

Respectfully Submitted,

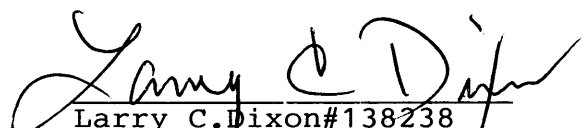
  
Larry Carl Dixon, Pro/Se

#### CERTIFICATE OF SERVICE

This is to certify, That I have served the defendants with a true and correct copy of the foregoing, By placing said copy in the U.S. Mail, Postage pre-paid, And properly Addressed, As follows;

Bettie J. Carmack (CAR-132)  
Assistant Attorney General  
Civil Litigation Division  
11 South Union Street  
Montgomery, Al. 36130

On this the 21st day of April, 2006.

  
Larry C. Dixon #138238  
Elmore Corr. Facility  
Post Office Box 8  
Elmore, Al. 36025